

10-29-01
Tab settings



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attached original documents or copy thereof.

To the Honorable Commissioner of

1. Name of conveying party(ies):

VITACOST.COM, INC.

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: October 26, 2001

2. Name and address of receiving party(ies)

Name: NUTRACEUTICAL SCIENCES INSTITUTE, INC.

Internal Address: _____

Street Address: 2049 High Ridge Road

City: Boynton Beach State: FL ZIP: 33426

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

S.N. 75/519,548 Filed 07/15/98

B. Trademark Registration No.(s)

1,975,080 Issued 05/21/96
2,173,973 Issued 07/14/98

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stewart L. Gitler, Esq.

Internal Address: HOFFMAN, WASSON & GITLER, PC

Street Address: 2361 Jefferson Davis Highway

Suite 522

City: Arlington State: VA ZIP: 22202

6. Total number of applications and registrations involved: 22

7. Total fee (37 CFR 3.41).....\$ 565.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

08-2455 - Deficiencies Only

(Attach duplicate copy of this page if paying by deposit account)

10/30/2001 6TON11 00000046 75519548

DO NOT USE THIS SPACE

01 FC:441
02 FC:482

40.00 DP
525.00 DP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stewart L. Gitler
Name of Person Signing

Signature

10-29-01
Date

6

Total number of pages including cover sheet, attachments, and document:

<u>Mark</u> <u>Country</u>	<u>Serial No. or</u> <u>Registration No.</u>	<u>Filing Date or</u> <u>Registration</u> <u>Date</u>
NEURO LIFT United States	2,195,734	10/13/98
PEDIAPOWER United States	2,220,987	01/26/99
OCUPOWER United States	2,220,988	01/26/99
FATAWAY United States	2,228,689	03/02/99
THERMOACTIVES United States	2,232,919	03/16/99
NATURAL MEDICINE JOURNAL United States	2,240,007	04/13/99
NEUROPOWER United States	2,243,369	05/04/99
GLUCOPOWER United States	2,244,987	05/11/99
ULTRABSORB TECHNOLOGY United States	2,257,056	06/29/99
WARRIOR'S EDGE United States	2,267,242	08/03/99
CREAPLEX United States	2,267,243	08/03/99
NUTRIFORM United States	2,276,031	09/07/99
CARDIOLIFT United States	2,283,103	10/05/99
CHEWS TO LOSE United States	2,396,825	10/24/00

TRADEMARKS - continued

<u>Mark</u> <u>Country</u>	<u>Serial No. or</u> <u>Registration No.</u>	<u>Filing Date or</u> <u>Registration</u> <u>Date</u>
NSI United States	2,411,431	12/05/00
CHEWS TO LOSE United States	2,396,825	10/24/00
NSI United States	2,411,431	12/05/00
TOP BRAND VITAMINS AT WHOLESALE COST United States	2,434,385	03/06/01
NUTRISLIM United States	2,450,415	05/15/01
NUTRACEUTICAL SCIENCES INSTITUTE United States	2,470,724	07/17/01
NSI & Design United States	2,491,928	09/25/01

A S S I G N M E N T

WHEREAS, VITACOST.COM, INC., a Delaware corporation, having its principal place of business at 2401 West White Oaks Drive, Springfield, Illinois 62704, is the owner of the following trademarks and patents in the United States Patent and Trademark Office and abroad:

TRADEMARKS

<u>Mark</u> <u>Country</u>	<u>Serial No. or</u> <u>Registration No.</u>	<u>Filing Date or</u> <u>Registration</u> <u>Date</u>
SYNERGY 3000 United States	S.N. 75/519,548	07/15/98
AN OPPORTUNITY FOR LIFE United States	1,975,080	05/21/96
ARTHRIPower United States	2,173,973	07/14/98
NEURO LIFT United States	2,195,734	10/13/98
PEDIAPOWER United States	2,220,987	01/26/99
OCUPOWER United States	2,220,988	01/26/99
FATAWAY United States	2,228,689	03/02/99
THERMOACTIVES United States	2,232,919	03/16/99
NATURAL MEDICINE JOURNAL United States	2,240,007	04/13/99
NEUROPOWER United States	2,243,369	05/04/99
GLUCOPOWER United States	2,244,987	05/11/99

TRADEMARKS - continued

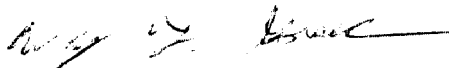
<u>Mark</u> <u>Country</u>	<u>Serial No. or</u> <u>Registration No.</u>	<u>Filing Date or</u> <u>Registration</u> <u>Date</u>
ULTRABSORB TECHNOLOGY United States	2,257,056	06/29/99
WARRIOR'S EDGE United States	2,267,242	08/03/99
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NSI & Design United States	2,491,928	09/25/01

WHEREAS, NUTRACEUTICAL SCIENCES INSTITUTE, INC., a corporation organized under the laws of Delaware, having its principal offices at 2049 High Ridge Road, Boynton Beach, Florida 33426, is desirous of acquiring said trademarks and patents,

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, **VITACOST.COM, INC.** hereby assigns to **NUTRACEUTICAL SCIENCES INSTITUTE, INC.** all right, title and interest in the United States and abroad, in and to the trademarks, applications and patents, associated therewith, together with the goodwill of the business symbolized by said trademarks, applications and patents thereof.

VITACOST.COM, INC.

10/26/01
Date



Name : **Wayne F. GORSEK**
Title: Chief Executive Officer

Attorney's Docket: gorsek.assignment/tfiles/lat